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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

CORRIELUS, JEAN M

ART UNIT PAPER NUMBER

2162

DATE MAILED: 02/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

1. This action is in response to the reply Brief filed on November 30, 2005.

Response to Arguments

2. Applicant's arguments filed November 30, 2005 with respect to the examiner's answer have been fully considered but they are not persuasive. (See examiner's remark below.

Remark

3. Applicant asserted (Reply pages 3-5) that the examiner does not support his assertion that coueignoux is analogous to the claimed invention or refuse Appellant's detailed factual comparison supporting his assertion that coueignoux is non-analogous and the examiner wholly fails to provide any support or reasoning as to how Coueignoux is analogous to the claimed invention. The examiner has carefully considered the subject matter on appeal, the rejections advanced by the examiner, and the evidence of obviousness relied upon by examiner as support for the rejections. In rejecting the claims under 35 U.S.C. 103, it is incumbent upon the examiner to establish a factual basis to support the legal conclusion of obviousness and to provide a reason why one having ordinary skill in the pertinent art would have been led to modify the prior art or to combine prior art references to arrive at the claimed invention. Such reason must stem from some teaching, suggestion or implication in the prior art as a whole or knowledge generally available to one having ordinary skill in the art. These showings by the examiner are an essential part of complying with the burden of presenting a prima facie case of obviousness. The examiner's position (answer's pages 13 and 14) with respect to the assertion above is that

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Couegnoux discloses a system that controls the disclosure of facts between parties of potential interest includes a sender in communication with a first transmission medium, wherein the sending agent includes a processing module to initiate queries of the user, wherein each query asks the user to disclose a fact and provides authorization for publication of the fact to the sender, and wherein the sending agent communicates to the sender only facts with authorization for publication provided by the user (col.2, lines 32-34) and exploits confidential information from a user while securing the information from unauthorized publication, wherein such confidential information is not transmitted to any party until an authorization is received by the user in order to ensure facts are only transmitted if consent for publication is affirmatively given. Whereas, appellant's disclosure providing a centralized repository for reputation, ratings, and identification data of any participating user, wherein the centralized repository allows the user to transport any ratings or reputation data from one community to another while preserving the integrity and reliability of the information, and wherein user is given the authority to control the dissemination of his or her reputation or persona identity information. Thus, the centralized repository will not allow access to any of user's identity attributes unless it first has an authorization from the user (see specification page 9, lines 15-27). From review of Couegnoux's reference, the examiner has provided prima facie evidence that Couegnoux is directed to the same field endeavor as Appellant's claimed invention. Therefore, Couegnoux is an analogous art with respect to the invention as claimed.

4. Appellant asserted (Reply pages 5 and 6) that the examiner's combination of Lang with Couegnoux is overruled for lack of proper motivation. The examiner's position (answer, pages

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14-15) that Lang does not explicitly disclose the use of transmitting reputation information in responsive to an authorization received by said user. To overcome these deficiencies of Lang, the examiner turns to Coueignoux for a teaching of transmitting reputation information in responsive to an authorization received by said user. From the review of Lang and Coueignoux, the examiner has provided that applied prior art would have suggested to an artisan the invention as claimed. In addition, Lang discloses the claimed “a database for storing said reputation information” as a database (36) that holds reputation information in which a client seeks to access from the reputation service (see fig.2; page 2, [0023]); “security measures for verifying identities of at least one of said user and a plurality of community organizations” in order to gain access to services provided by the servers 32 and 46, users 44 have to connect to the network 42 (fig.2; page 2, [0023], [0029]); wherein in fig.7, requesters (users) are required to provide the user ID and password; and “a communication system for receiving said reputation information and transmitting said reputation information to said plurality of community organizations” communication 42 receives a response in response to a request. The examiner finds that Lang does not disclose the use of transmitting reputation information in responsive to an authorization received by said user. However, turning to Coueignoux, which is disclosed a system that controls the disclosure of facts between parties of potential interest includes a sender in communication with a first transmission medium, wherein the sending agent includes a processing module to initiate queries of the user, wherein each query asks the user to disclose a fact and provides authorization for publication of the fact to the sender, and wherein the sending agent communicates to the sender only facts with authorization for publication provided by the user (col.2, lines 32-34) and exploits confidential information from a user while securing the

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information from unauthorized publication, wherein such confidential information is not transmitted to any party until an authorization is received by the user in order to ensure facts are only transmitted if consent for publication is affirmatively given. Further, Coueignoux discloses the claimed “transmitting a reputation information in responsive to an authorization received by said user” by transmitting the confidential information only in response to authorization by the user (col.6, lines 46-54, lines 59-63). From the disclosure of Coueignoux one can transmit reputation information in responsive to an authorization received by said user and also find that an artisan would have been motivated to allow Lang’s system to release the confidential information (reputation information) only in response to an authorization signed by the user, thereby ensuring facts (information) are only transmitted if consent for publication is affirmatively given (col.6, lines 46-54, lines 59-63). The examiner has cogently explained the reason why Lang and Coueignoux are being relied upon and so the teachings and suggestions of Lang and Coueignoux would have suggested to an artisan the language of the claimed invention.

5. Appellant asserted (reply page 6) that the examiner repeatedly used teachings from Schuba and Lambert in the actual arguments to support the examiner’s rejection. Examiner’s position (answer page 19), Schuba and Lambert is neither part of the rejection, nor use to establish prima facie case of obviousness with respect to the invention. They are only listed as pertinent prior art.

Therefore, claims 1-20 are rejected under 35 U.S.C. 103 as being obvious by Lang US Patent application Publication no. US/2002/0046041 and Coueignoux US Patent no. 6,092,197, which describes all of the elements of the claimed invention so as to have placed a person of

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ordinary skill in the art in possession thereof. In re Spada, 911 F.2d 705, 708, 15 USPQ 1655, 1658 (Fed. Cir. 1990).

For the above reasons, it is believed that the rejection under 35 USC 103 with respect to claims 1-20 should be sustained.

A handwritten signature in black ink, appearing to read 'J. Corrielus', is written over the printed name.

Jean M. Corrielus
Primary Examiner
Art Unit 2162
February 11, 2006

Respectfully submitted,